

SENATE JOINT RESOLUTION NO. 31

INTRODUCED BY J. WINDY BOY

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING THAT AN INTERIM COMMITTEE STUDY THE EFFECTS OF DOMESTIC VIOLENCE ON CHILDREN AND WAYS TO REDUCE THE POTENTIAL PROBLEMS ASSOCIATED WITH CHILD TRAUMA RELATED TO DOMESTIC VIOLENCE.

WHEREAS, domestic violence is a crime that affects not only the person who is assaulted but also the children who may witness the assault; and

WHEREAS, Montana Board of Crime Control statistics show that 4,415 cases of domestic abuse were reported to Montana law enforcement agencies in 2007; and

WHEREAS, studies have shown that many cases of domestic violence go unreported, making it difficult to accurately gauge the number of victims of and witnesses to domestic violence; and

WHEREAS, national studies have documented that witnessing domestic violence may manifest itself in harmful ways, with children showing symptoms that include increased aggression, depression, anxiety, fear, and physical symptoms such as headaches, stomachaches, and ulcers; and

WHEREAS, the Montana Legislature has indicated its concern about children witnessing domestic violence by enacting section 45-5-206, MCA, which allows a judge who is sentencing an individual for partner or family member assault to take into consideration whether the crime was committed within the sight or hearing of a minor.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Legislative Council be requested to designate an appropriate interim committee, pursuant to section 5-5-217, MCA, or direct sufficient staff resources to study the effects on children of witnessing domestic violence and whether the state could improve its response to and services for those children.

BE IT FURTHER RESOLVED, that the study efforts include the following items and activities:

(1) determining the number of children who may be witnessing violence in their homes;

(2) compiling information on existing programs for children who witness domestic violence and on the

1 law enforcement and state agency response when a child has witnessed domestic violence;

2 (3) determining whether a process exists or is needed to evaluate:

3 (a) the level of trauma a child may suffer when witnessing domestic violence; and

4 (b) whether child witnesses to domestic violence need mental health or other services; and

5 (4) making recommendations for ways in which to address problems identified in the study.

6 BE IT FURTHER RESOLVED, that the study engage the public and relevant stakeholders, including but
7 not limited to law enforcement, the Department of Public Health and Human Services, the Montana Board of
8 Crime Control, and groups that advocate for and work with victims of domestic violence.

9 BE IT FURTHER RESOLVED, that stakeholders include Indian Health Service representatives and
10 members of Montana's Indian tribes.

11 BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review
12 requirements, be completed prior to September 15, 2010.

13 BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions,
14 comments, or recommendations of the appropriate committee, be reported to the 62nd Legislature.

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